

REMARKS

The Examiner objected to the claims due to a minor informality. The Examiner rejected claims 1-5, and 8 under 35 U.S.C. §102(b) as anticipated by Kuebler et al. (U.S. Patent No. 5,749,798). The Examiner also rejected claims 1-8 under 35 U.S.C. §102(e) as anticipated by Brine et al. (U.S. Patent No. 6,752,730). Additionally, the Examiner rejected claims 1-8 under 35 U.S.C. §102(e) as anticipated by Tucker (U.S. Patent No. 6,500,079). Further, the Examiner rejected claims 6 and 7 under 35 U.S.C. §103(a) as obvious over Kuebler et al.

Each of these objections and rejections is addressed individually below.

The Claim Objections:

The Examiner objected to the claims due to a minor informality. Specifically, the Examiner objected to claim 1 due to a minor typographical error. Claim 1 has been amended to correct this typographical error as set forth above. It is therefore submitted that this objection has now been overcome.

The Section 102(b) Claim Rejections:

The Examiner rejected claims 1-5, and 8 under 35 U.S.C. §102(b) as anticipated by Kuebler, et al. (U.S. Patent No. 5,749,798). The Examiner also rejected claims 1-8 under 35 U.S.C. §102(e) as anticipated by Brine, et al. (U.S. Patent No. 6,752,730). Further, the Examiner rejected claims 1-8 under 35 U.S.C. §102(e) as anticipated by Tucker (U.S. Patent No. 6,500,079).

Claim 1:

Claim 1 as amended requires a handle for a lacrosse head. The handle is constructed of a one-piece hollow tube having an interior surface and an exterior surface. The hollow tube has a first end for communicating with a lacrosse head and a second end opposing the first end. The exterior surface of the handle has a generally uniform dimension along its length. The hollow tube has a first thickness defined by a distance between the interior surface and the exterior surface at a second location along the tube. The first thickness is greater in magnitude than the second thickness.

Claim 1 defines over each of the Kuebler, et al. and Brine, Jr., et al. references for at least the reason that neither of those references teach a handle having an exterior surface with a generally uniform dimension along its length. Instead, the handles in

each of these references have exterior ridges or ribs formed in the exterior surface to provide improved gripping capabilities.

It is therefore submitted that claim 1 is allowable over each of the Kuebler, et al. and Brine, Jr. et al. references for at least this reason. It is also submitted that claims 2-8, which depend from claim 1, are allowable for the same reasons.

Claim 1 also defines over the Tucker, Sr. reference, which also teaches a handle with exteriorly projecting ribs – not an exterior surface with a generally uniform dimension along its length. Additionally, to the extent the Tucker, Sr. reference discloses an embodiment having an exterior surface with a generally uniform dimension and a varying handle wall thickness, it fails to disclose a one-piece handle. Instead, the Tucker, Sr. reference teaches a handle having a hollow tube with overlays disposed over the tube.

It is therefore submitted that claim 1 is allowable over the Tucker Sr. reference and that claims 2-8, which depend from claim 1, are allowable for the same reasons.

Claims 19-26 have been added by this Response with claims 19 and 23 being independent. Claim 19 requires a handle having a first thickness at a location in one half of the handle that is greater than a second thickness at a location located in the other half of the handle. This is not taught or suggested by any of the references of record. It is thus submitted that claim 19 is allowable for at least this reason alone. Claim 23 requires a handle having a tube with a first thickness at a location in one half and a second thickness at a location in the other half. The first thickness is greater than the second thickness substantially throughout the first half of the tube at a given circumferential location along the reference plane.

It is therefore submitted that claims 19 through 26 are allowable over the art of record.

Conclusion:

It is respectfully submitted that all objections and rejections of record have been overcome and that all pending claims are in condition for allowance. A notice of allowance is therefore earnestly solicited.

If the Examiner should have any questions, she is urged to contact the undersigned.

Respectfully submitted,

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